

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MICHAEL ESTRADA,

Plaintiff(s),

v.

LAS VEGAS METROPOLITAN POLICE  
 DEPARTMENT, et al.,

Defendant(s).

Case No. 2:22-cv-02089-JAD-NJK

**Order**

[Docket Nos. 37, 39]

Pending before the Court is Defendant LVMPD's motion to stay discovery pending resolution of its motion to dismiss. Docket No. 37. In light of Judge Dorsey's order granting the motion to dismiss, Docket No. 40, the motion to stay discovery is **DENIED** as moot. In the event Plaintiff files an amended complaint, either a renewed motion to stay discovery or a discovery plan must be filed within 14 days of LVMPD responding to that amended complaint.

Also pending before the Court is Plaintiff's motion for access to records. Docket No. 39. Plaintiff is seeking an order that LVMPD provide various documents and information as discovery, *see id.* at 1, which the Court construes as a motion seeking to begin the discovery period. As noted above, Plaintiff's complaint has been dismissed and there is no operative pleading at this time, so discovery at this time is not warranted. *Cf. Mujica v. AirScan Inc.*, 771 F.3d 580, 593 (9th Cir. 2014) ("plaintiffs must satisfy the pleading requirements of Rule 8 *before* the discovery stage, not after it"). Moreover, discovery cannot generally commence until after a Rule 26(f) conference has taken place. *See* Fed. R. Civ. P. 26(d)(1). Accordingly, Plaintiff's motion for access to records is **DENIED** as premature.

IT IS SO ORDERED.

Dated: November 15, 2023

  
 Nancy J. Koppe  
 United States Magistrate Judge